

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P06014WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/002265	International filing date (day/month/year) 05.03.2004	Priority date (day/month/year) 29.04.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant SIEMENS AKTIENGESELLSCHAFT		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.																								
2.	This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.																								
3.	This report is also accompanied by ANNEXES, comprising: <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>1</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																								
4.	This report contains indications relating to the following items: <table border="0"> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/002265

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-20 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 2-12 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1 _____ received by this Authority on 21.04.2005 with letter
- nos.* _____ received by this Authority on of 21.04.2005
- ☒ the drawings:
- sheets 1/3-3/3 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-12	YES
	Claims		NO
Inventive step (IS)	Claims	1-12	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

This report makes reference to the following document:

D1: US-B1-6 434 624 (GAI SILVANO ET AL), 13 August
2002 (2002-08-13)

A. Explanations

1. The present invention is defined by: (0) "a process (claim 1) for automatically configuring a communication device with an identification number" so that (1) "the network in which the communication device according to point (0) is located comprises at least one VLAN (Virtual Local Area Network) which includes the communication device and a network node device", (2) "a network element of the network according to point (1) determines information addressed to the VLAN according to point (1)", (3) "the network element according to point (2) forwards the addressed information according to point (2), together with an already set configuration message, to the VLAN according to point (1)", (4) "the network node device of the VLAN according to point (1) having

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>received the message according to point (3) enters the valid VLAN identification number, then forwards the thus modified message as a radio message to all subscribers of the VLAN according to point (1)", (5) "the communication device according to point (0) receives the VLAN identification number produced according to point (4) and uses it for configuration purposes."</p> <p>Dependent claims 2-12 define further implementation details of the process as per claim 1.</p> <p>2. The closest prior art is represented by document US-B1-6434624 (D1), which describes a process for automatically configuring a communication device with an IP (internet protocol) address. According to that process, a not yet configured communication device transmits a radio message which contains a request for an IP address in the network. A network device can then produce a reply which contains a valid IP address. It is inconsequential whether the network contains an additional structure in the form of VLAN-based sub-networks; D1 focuses exclusively on the configuration of IP addresses. This implies that, if the network described in D1 contains VLAN-based sub-networks, these sub-networks are already configured when the automatic configuration of the communication device with an IP address starts.</p> <p>3. The difference between the subject matter of claim</p>

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>1 and D1 is based on the process defined in points (2)-(5) for automatically configuring a communication device based on the VLAN identification number. The novelty (PCT Article 33(2)) of the subject matter of claim 1 (and of its dependent claims, claims 2-12) is therefore established <i>a fortiori</i>.</p> <p>4. The present invention addresses the objective problem of (a) "generalising the process for automatically configuring communication devices in a network in such a way that not only the addresses of the communication devices, but also the addresses of sub-networks encompassing these communication devices, can be automatically configured."</p> <p>5. The objective problem (a) is solved by the process steps defined in points (2)-(5) because points (2)-(5) show a possible way of automatically configuring a communication device; steps (2)-(3), in addition, show how a sub-network of the VLAN type can also be configured at the same time. The solution to the objective problem (a) by steps (2)-(5) cannot be directly, unambiguously and entirely derived from document D1. The inventive step (PCT Article 33(3)) of the subject matter of claim 1 (and of its dependent claims, claims 2-12) is therefore established <i>a fortiori</i>.</p> <p>6. Since claims 1-12 relate to technical processes which can be implemented using commercially</p>

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available resources for processing, transmitting and storing information, the technical processes defined in claims 1-12 are always industrially applicable, and the requirements of PCT Article 33(4) are met.

B. Further observations on the present application

1. Pursuant to PCT Rule 5.1(a)(ii), the description should cite document D1 and indicate the relevant prior art disclosed therein.